

No. 5539

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**YUGOSLAVIA  
and  
ALBANIA**

**Agreement (with annex) concerning air services between  
the Federal People's Republic of Yugoslavia and the  
People's Republic of Albania. Signed at Tirana, on  
23 November 1956**

*Official texts: Serbo-Croat and Albanian.*

*Registered by Yugoslavia on 18 January 1961.*

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**YUGOSLAVIE  
et  
ALBANIE**

**Accord (avec annexe) relatif aux services aériens réguliers  
entre la République populaire fédérative de Yougoslavie  
et la République populaire d'Albanie. Signé à Tirana,  
le 23 novembre 1956**

*Textes officiels serbo-croate et albanais.*

*Enregistré par la Yougoslavie le 18 janvier 1961.*

[TRANSLATION — TRADUCTION]

No. 5539. AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF ALBANIA CONCERNING AIR SERVICES BETWEEN THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA AND THE PEOPLE'S REPUBLIC OF ALBANIA. SIGNED AT TIRANA, ON 23 NOVEMBER 1956

The Government of the Federal People's Republic of Yugoslavia and the Government of the People's Republic of Albania, hereinafter referred to as the "Contracting Parties",

Having decided to establish scheduled air services between their countries,  
Have appointed their plenipotentiaries, duly authorized for this purpose, who have agreed as follows :

*Article 1*

The Contracting Parties grant each other, on a basis of strict reciprocity, the rights specified in the annex<sup>2</sup> hereto for the purpose of establishing the scheduled air services enumerated therein. The said services may be established immediately or at a later date at the option of the Contracting Party to which these rights are granted.

*Article 2*

(a) The said services may be inaugurated as soon as the designated undertaking or agency of one Contracting Party has obtained from the aeronautical authority of the other Contracting Party a permit to operate the agreed services. The said authorities shall issue the requisite permit without delay provided that the terms of paragraph (b) of this article are fulfilled.

(b) Before the permit to operate the agreed services is issued, the designated undertaking or agency may be required to satisfy the aeronautical authority competent to issue the said permit that it fulfils the conditions prescribed under the laws and regulations normally applied to scheduled international air services.

<sup>1</sup> Came into force on 16 July 1957 by an exchange of notes, in accordance with article 16.

<sup>2</sup> See p. 98 of this volume.

### Article 3

Each Contracting Party shall prescribe for its own territory the flight routes for the operation of the agreed services, with due regard, so far as possible, to economy of operation.

The competent authorities of the Contracting Parties shall prescribe by agreement the air corridor at the common frontier.

### Article 4

In order to ensure the operation of the air services referred to in the annex to this Agreement, each Contracting Party shall place at the disposal of the aircraft of the other Contracting Party all existing radio communications and lighting facilities, technical installations and meteorological services.

### Article 5

(a) The laws and regulations of either Contracting Party concerning the admission to, stay in and departure from its territory of aircraft intended for the operation of international air services or the operation of such aircraft on and over that territory shall apply in like manner to the aircraft of the designated undertaking or agency of the other Contracting Party.

(b) The laws and regulations of either Contracting Party concerning the admission to, stay in and departure from its territory of passengers, crews, baggage, mail and cargo, as well as those relating to the control of currency and travel documents, customs and quarantine, shall apply in like manner to the passengers, crews, baggage, mail and cargo carried on board the aircraft of the designated undertaking or agency of the other Contracting Party while within that territory.

### Article 6

(a) Aircraft belonging to the undertakings or agencies of the Contracting Parties and intended for use on the agreed services shall bear the identification marks prescribed for international air traffic.

(b) Aircraft belonging to the undertakings or agencies of the Contracting Parties and intended for use on the agreed services and members of their crews, who must be nationals of the Federal People's Republic of Yugoslavia or of the People's Republic of Albania, shall carry the following documents :

Certificate of registration;

Certificate of airworthiness;

Appropriate licences for each member of the crew, and passports;

Journey log book;  
Aircraft radio station licence;  
Passenger list;  
Manifest and appropriate declarations of cargo and mail statements; and,

If required, a special permit to carry certain types of cargo by air.

(c) The Contracting Parties agree that certificates of airworthiness and licences issued or rendered valid by either Contracting Party for the purpose of operating the agreed services shall be recognized by the other Contracting Party.

#### *Article 7*

(a) Each Contracting Party agrees that the sums payable for the use of airports and other technical installations by the designated undertaking or agency of the other Contracting Party shall not be higher than those paid by any other airline operating a similar international service.

(b) Fuel and lubricating oils taken on board in, and spare parts and normal equipment introduced into, the territory of one Contracting Party solely for use by aircraft belonging to the designated undertaking or agency of the other Contracting Party and intended for use on the agreed services shall be accorded in that territory treatment as favourable as that granted to all foreign airlines operating similar international services with respect to customs duties, inspection fees or other national duties and charges.

(c) Aircraft operated on the agreed routes by the designated undertaking or agency of one Contracting Party and fuel, lubricating oils, spare parts, normal equipment and aircraft stores retained on board such aircraft shall be exempt in the territory of the other Contracting Party from customs duties, inspection fees and other national duties and charges even though, within the limits essential for operation of the agreed services, they are used or consumed while within that territory, provided, however, that they are not disposed of.

#### *Article 8*

Rates shall be fixed at reasonable levels, due regard being paid to economical operation, reasonable profit and the characteristics of the agreed services. In fixing these rates, account shall also be taken of the principles governing international air services in the matter.

The designated undertaking or agency of each Contracting Party shall submit to the aeronautical authority of the other Contracting Party its time-

tables, for approval, and its tariffs, for information, at least one month before they are put into effect. This provision shall also apply to any alteration in existing time-tables and tariffs.

#### *Article 9*

Transport for remuneration from one point to another in the same territory shall remain reserved exclusively to the national air transport undertaking or agency of each Contracting Party, whatever the origin or ultimate destination of the passengers, baggage, mail and cargo.

#### *Article 10*

(a) Each Contracting Party undertakes to render the same measure of assistance in its territory to aircraft of the other Contracting Party which are employed in operating the agreed services and which are in distress, as it would to its own-aircraft operating similar international services. This undertaking shall also cover searches for missing aircraft.

(b) In the event of such an aircraft being involved in an accident resulting in death, serious injury, or serious damage to the aircraft, the Contracting Party in whose territory the accident occurred shall institute an inquiry into the causes and circumstances of the accident. The Contracting Party to which the aircraft belongs shall be permitted to send observers to attend the inquiry. The Contracting Party conducting the inquiry shall report the results and findings thereof to the other Contracting Party.

#### *Article 11*

(a) If either Contracting Party considers it desirable to modify any clause of this Agreement, it may at any time request, through the diplomatic channel, negotiations on the matter between the aeronautical authorities of the two Contracting Parties. Such negotiations shall begin not later than sixty days after the date of the request. If the said authorities agree on the modifications to be made, the latter shall enter into force as soon as each Contracting Party has notified the other Contracting Party of the ratification or approval of such modifications in accordance with its constitutional procedures.

(b) If either Contracting Party considers it necessary to modify or add to any clause of the annex, the aeronautical authorities of the Contracting Parties may agree to make such a modification or addition by means of an arrangement in writing which shall fix the date of its entry into effect and which may not depart from the provisions of this Agreement. The consultations between the said authorities shall take place within sixty days from the date of the request.

(c) In a spirit of close collaboration, the aeronautical authorities of the Contracting Parties shall consult together from time to time for the purpose of exchanging experience gained in the field of air transport and ensuring that the principles laid down by this Agreement and its annex are being applied and executed satisfactorily.

#### *Article 12*

For the purpose of this Agreement and its annex :

The term “ territory ” means the land areas and territorial waters, including air space, under the sovereignty of the State in question;

The expression “ air service ” means a scheduled air service performed by aircraft for the public transport of passengers, baggage, mail and cargo.

The expression “ international air service ” means any air service which passes through the air space over the territory of more than one State;

The expression “ air transport undertaking or agency ” means any air transport undertaking or agency operating an international air service;

The expression “ designated undertaking or agency ” means any air transport undertaking or agency designated by one Contracting Party for the operation of the agreed services;

The expression “ aeronautical authority ” means :

(a) In the case of the Federal People’s Republic of Yugoslavia : the Directorate-General of Civil Aviation;

(b) In the case of the People’s Republic of Albania : the Ministry of Communications.

These agencies may be replaced by any other agency subsequently authorized to perform their present functions.

#### *Article 13*

The aeronautical authorities of the Contracting Parties shall endeavour to settle by direct negotiation any dispute which may arise in connexion with the interpretation or application of this Agreement and the annex hereto.

If such negotiations do not result in an agreement within a period of sixty days, the Contracting Parties agree to settle the dispute through the diplomatic channel.

#### *Article 14*

Either Contracting Party may at any time give notice to the other Contracting Party of its desire to terminate this Agreement. The Agreement shall terminate twelve months after the date of receipt of such notice by one the Con-

tracting Parties unless the notice is withdrawn by agreement before the expiry of that period.

#### Article 15

This Agreement supersedes all agreements concerning civil aviation previously concluded between the Federal People's Republic of Yugoslavia and the People's Republic of Albania.

#### Article 16

This Agreement shall enter into force on the date on which the Contracting Parties notify each other by an exchange of notes, which shall take place at Belgrade as soon as possible, that they have ratified or approved it in accordance with their respective constitutional procedures.

Nevertheless, it shall be applied provisionally with effect from the date of signature.

IN WITNESS WHEREOF the plenipotentiaries, duly authorized for the purpose by their respective Governments, have signed this Agreement, done in duplicate in the Serbo-Croat and Albanian languages, both texts being equally authentic, and have thereto affixed their seals.

DONE at Tirana, on 23 November 1956.

For the Government  
of the Federal People's Republic  
of Yugoslavia :

(Signed) Batrić JOVANOVIĆ

For the Government  
of the People's Republic  
of Albania :

(Signed) Milo QIRKO

### A N N E X

#### SECTION I

The airline Jugoslavenski Aerotransport " JAT " may operate scheduled air services on the following route :

Yugoslavia - Tirana, in both directions.

During the operation of this service it shall have the right :

(a) to set down in Albanian territory passengers, baggage, mail and cargo picked up in Yugoslav territory or in the territory of any other country;

(b) to pick up in Albanian territory passengers, baggage, mail and cargo destined for Yugoslav territory or for the territory of any other country.

#### SECTION II

The Ministry of Communications of the People's Republic of Albania may operate scheduled air service on the following route :

Albania - Belgrade, in both directions.

During the operation of this service, it shall have the right :

- (a) to set down in Yugoslav territory passengers, baggage, mail and cargo picked up in Albanian territory or in the territory of any other country;
- (b) to pick up in Yugoslav territory passengers, baggage, mail and cargo destined for Albanian territory or for the territory of any other country.

### SECTION III

The airline Jugoslovenski Aerotransport " JAT " and the Ministry of Communications of the People's Republic of Albania shall conclude by direct negotiation agreements concerning general representation on a basis of reciprocity, control of the arrival and departure of aircraft and the reciprocal recognition of transport documents.

The Contracting Parties grant to the airline and the Ministry the right to maintain one liaison representative each at the head office of their general representatives with a view to participation in the settlement of questions relating to the agreed air services.

The liaison representatives must be nationals of the Federal People's Republic of Yugoslavia or of the People's Republic of Albania, at the option of the airline or of the Ministry.

Liaison representatives who are not nationals of the country in which they reside shall comply with the regulations governing the stay of aliens.

Tirana, 23 November 1956.

For the Government  
of the Federal People's Republic  
of Yugoslavia :  
(Signed) Batrić JOVANOVIĆ

For the Government  
of the People's Republic  
of Albania :  
(Signed) Milo QIRKO